

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
ABERDEEN DIVISION**

**MEGAN BRITT**

**PLAINTIFF**

**V.**

**CIVIL ACTION NO. 1:17-CV-219-DAS**

**MISSISSIPPI FARM BUREAU  
CASUALTY INSURANCE COMPANY  
AND SOUTHERN FARM BUREAU LIFE  
INSURANCE COMPANY**

**DEFENDANTS**

**ORDER**

During the final pretrial conference before the undersigned on May 16, 2024, the court took up several of the defendants' objections to exhibits and witnesses the plaintiff identified for the first time in the proposed Pretrial Order. These exhibits include documents related to the following individuals: Keegan Bumpous, Lawson Davis, Steve Harbour, Brett Hawkins, Jason Norman, and Riley Saunders. The witnesses are Jason Baker, Clint Buckley, Steve Harbour, Brett Hawkins, Brian Miley, Jason Norman, Riley Saunders, Keegan Bumpous, Jason Stinson, Lawson Davis, and Tracy Whitt. The defendants object to the inclusion of these exhibits and witnesses on the basis that were not properly disclosed under the Federal Rules of Civil Procedure, and the plaintiff's failure to timely produce these documents and identify these individuals is not substantially justified or harmless.

In response, the plaintiff directed the court to *Humphrey v. LeBlanc*, 2023 WL 6457919, at \*2 (M.D. La. Oct. 4, 2023). *Humphrey* addresses whether depositions taken in an earlier, separate case may be relevant or admissible in subsequent litigation. The court here does not disagree with the rationale and holding in *Humphrey*, but the issue presently before the court differs in material respects. Here, the court is looking to determine whether evidence and witnesses from a previous case may be admitted when the evidence was produced and witnesses

were identified only three days prior to the final pretrial conference and less than four weeks prior to trial. This case has been pending before this court for over six years, and the evidence at issue was generated, in some instances, more than four years ago.

Consequently, the court finds the *Humphrey* case inapplicable as to the current issue of timelines. Allowing such late production would put an undue burden on the defendants by requiring counsel to read hundreds or thousands of pages of deposition transcripts and other evidence and prepare to address issues and witnesses not considered until now. Accordingly, the court finds the exhibits which include documents related to Keegan Bumpous, Lawson Davis, Steve Harbour, Brett Hawkins, Jason Norman, and Riley Saunders<sup>1</sup> and the witnesses previously enumerated are stricken from the pretrial order.

SO ORDERED, this the 17th day of May, 2024.

/s/ David A. Sanders

UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> For purposes of this Order, the proposed Pretrial Order identifies these documents as plaintiff's exhibits 48-353.